

Hearing Date: May 20, 2010, at 10:00 a.m.

Lisa Pierce Reisz (*pro hac vice* admission pending)
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Attorneys for Defendant Carlisle Companies Incorporated

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

	X
In re	: Chapter 11
	: Case No. 05-44481-rdd
DPH Holdings Corp., et al.	:
	: (Jointly Administered)
Debtors.	:
	:
	:
Delphi Corporation, et al.,	: Adv. Case No. 07-02291
	:
Plaintiff,	:
	:
v.	:
	:
Carlisle, et al.,	:
	:
Defendants.	:
	:
	X

**JOINDER OF DEFENDANT CARLISLE COMPANIES INCORPORATED TO
OBJECTION OF SETECH, INC. TO REORGANIZED DEBTORS'
MOTION FOR A CASE MANAGEMENT ORDER**

1. Defendant Carlisle Companies Incorporated (“Carlisle”), by and through counsel, hereby joins in the Objection of Setech, Inc. (the “Setech Objection”) [Case No. 05-4481-rdd, Docket No. 19855; Adv. Pro. No. 07-02619, Docket No. 18] to Reorganized Debtors’ Motion for

a Case Management Order Establishing Procedures Governing Adversary Proceedings (APN Docket No. 8) (the “Motion”).

2. Carlisle is the defendant in the above-captioned adversary proceeding (the “Adversary Proceeding”) commenced by the Reorganized Debtors’ predecessor-in-interest, Delphi Corp. The Adversary Proceeding was filed under seal on September 28, 2007 with no notice to Carlisle.

3. As a preliminary matter, not only did Carlisle receive no notice of the filing of the Adversary Proceeding or any filings related thereto until over two and a half years after the applicable statute of limitations expired, Carlisle, like Setech, did not receive effective notice of the Motion. Indeed, the docket does not reflect any affidavit of service for this Motion, and Carlisle, like Setech, received actual notice of the Motion only as a result of undersigned counsel’s review of the docket. Therefore, to the extent necessary or appropriate, Carlisle requests that the Court either deem this Objection timely filed or excuse the late filing as a result of excusable neglect.

4. For the reasons set forth in the Setech Objection, which are incorporated herein by reference, the Case Management Order (the “CMO”) proposed by the Reorganized Debtors violates due process and is an inappropriate derogation of the Federal Rules of Bankruptcy Procedure. At a minimum, no case management order should be entered until after the Court has considered and determined the Plaintiffs’ ability to prosecute the Adversary Proceeding. Further, as discussed in detail in the Setech Objection, to the extent that the Court is inclined to enter a case management order at this time, Carlisle likewise requests that the deficiencies in the CMO be corrected as delineated in the Setech Objection, so as to comport with the Federal Rules of Civil Procedure as incorporated by the Federal Rules of Bankruptcy Procedure.

WHEREFORE, for the above-stated reasons and for the reasons set forth more fully in the Setech Objection, Carlisle respectfully requests that the Court decline to enter the proposed case management order as premature; that alternatively, the Court appropriately modify any case management order to harmonize with applicable federal rules; and that the Court enter such further relief as is just and proper.

Dated: May 6, 2010

Respectfully submitted,

/s/ Tiffany StreLOW Cobb
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CERTIFICATE OF SERVICE

I hereby certify that on May 6, 2010, a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Eric Fisher, Esq., fishere@butzel.com

/s/Tiffany StreLOW Cobb
One of the Attorneys for Defendant
Carlisle Companies Incorporated